

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DARRYL WAYNE HILL,
Petitioner,

No. C 05-4572 SI (pr)

ORDER FOR BRIEFING

v.

ANTHONY P. KANE, warden,
Respondent.


This habeas action was stayed at petitioner's request so that he could exhaust state court remedies as to Claim 2 asserted in his petition. Petitioner has received a decision from the California Supreme Court. He now moves to lift the stay and proceed with consideration of his habeas petition that apparently is now fully exhausted.

In order to move this case toward resolution, the court sets the following briefing schedule on petitioner's motion to lift the stay: Respondent must file and serve any opposition to petitioner's motion no later than **April 13, 2007**. Petitioner must file and serve his reply in support of his motion no later than **May 4, 2007**.

The parties do not need to brief the merits or any procedural bars to the newly exhausted claim at this point, as the court is only determining whether to lift the stay and reopen the case. They may make arguments about the merits and/or any procedural bars in their amended answer and traverse that will be ordered to be filed later if the court grants the motion to lift the stay.

IT IS SO ORDERED.

DATED: April 3, 2007



SUSAN ILLSTON
United States District Judge